

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**LEON'S FINE FOODS, INC.**

**Plaintiff,**

**V.**

**STEVEN MORAN, and WOODY'S  
SPECIAL EVENTS, INC.**

**Defendant.**

§§ 87(2)(b), 87(4-b), 87(4-g), 87(4-h)

**CIVIL ACTION NO. 11-CV-7416**

**Judge Elaine E. Bucklo**

**Magistrate Judge Sydney I. Schenkier**

**AGREED MOTION TO DISMISS**

1. Plaintiff, Leon’s Fine Foods, Inc. (“Leon’s”) and Defendants, Steven Moran and Woody’s Special Events, Inc. (“Defendants”) have compromised and settled all matters at issue in this case and have executed a Settlement Agreement.

2. According to the terms of the settlement, Defendants hereby consent to the exercise of personal jurisdiction of this Court for purpose of enforcement of the Settlement Agreement and the Permanent Injunction requested by this Motion.

3. The Parties have stipulated to the following facts:

a. The Court has jurisdiction of the Parties and of the subject matter of the Complaint;

b. Leon's is the owner of all right, title, and interest in and to the trade marks shown in U.S. Trademark Registration Nos. 743,085; 1,127,941; 1,606,576; 2,581,083; and 2,590,147 and U.S. Trademark Application Serial Nos. 85/436,806 and 85/436,834 ("Leon's Trademarks) for use in association with corn dogs, concession foods, restaurants and catering services ("Leon's Services");

c. Defendants adopted and used the trademarks WOODY'S, WOODY'S CHICAGO STYLE and WOODY'S SPECIAL EVENTS (the "Infringing Trademarks") in connection with the services of providing catering and concession foods (the "Infringing Services") subsequent to the adoption and use of the Leon's Marks by Leon's.

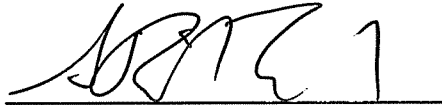
d. Defendants' adoption and use of the Infringing Trademarks is likely to cause confusion as to the source of infringing services and therefore is in violation of Leon's rights in the Leon's Trademarks and constitutes federal trademark infringement under 15 U.S.C. § 1114(1); and,

e. Absent injunctive relief, Defendants' adoption and use of the Infringing Trademarks has and will continue to cause damage and irreparable harm to Leon's for which Leon's has no adequate remedy at law.

4. Pursuant to Federal Rule of Civil Procedure 41(a)(2), the Parties hereby jointly request that the case be dismissed through entry of the attached Permanent Injunction and Order of Dismissal.

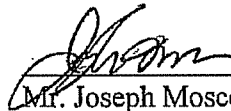
Respectfully Submitted,

COUNSEL FOR  
PLAINTIFF LEON'S FINE FOODS, INC.



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